

MINUTES
VERNON TOWN COUNCIL REGULAR MEETING
TOWN HALL - 14 PARK PLACE - 3rd Floor
VERNON, CONNECTICUT

October 19, 2010 – 7:00 PM

RECEIVED
VERNON TOWN CLERK
10 OCT 22 AM 9:30

Mayor Jason L. McCoy called the meeting to order at 7:04 PM

A) PLEDGE OF ALLEGIANCE

B) ROLL CALL:

Present: Council Members Daniel Anderson, Bill Campbell, Daniel Champagne, Mark Etre, Judy Hany, Marie Herbst, James Krupinski, Brian R. Motola, Sean O'Shea, Pauline Schaefer, Michael A. Winkler

Absent: Harry D. Thomas

Entered During Meeting:

Also Present: Mayor Jason L. McCoy, Town Administrator John Ward, Recording Secretary Jill Kentfield

C) CITIZEN'S FORUM

Ellen Marmer, 276 Merline Rd. – spoke about the closing of the maternity ward at Rockville Hospital. Requested Mayor McCoy meet with ECHN regarding the status of the hospital.

Harold Shapiro, 276 Merline Rd – requested the Mayor, Town Council Members and citizens of the community contact ECHN's board of trustees to determine the status of the hospital and hold ECHN accountable for trying to close the hospital.

Citizen's forum closed at 7:15 PM

D.) PUBLIC HEARINGS

None

E.) Presentations by the administration

Presentation of a check by the Elks Lodge #1359 to the Town of Vernon and the Youth Service Bureau donating proceeds from their recent fundraiser. YSB Director Alan Slobodien will be present.

The Elks lodge held a silent auction and high tea with 100 people in attendance. They donated \$1120.00 to the Town of Vernon Youth Service Bureau which will be used to supplement the youth summer employment program.

Presentation by Mayor Jason L. McCoy and Town Council Member Judy Hany of a Proclamation to the Hockanum Valley Community Council for their 40th Anniversary of Community Support. David Engelson, Director of HVCC will be present to accept.

Mayor McCoy presented a mayoral proclamation, Senator Guglielmo presented a CT General Assembly citation and Council Member Etre presented a governor proclamation to David Engelson in recognition of the 40th anniversary of HVCC.

Presentation by Rockville Community Alliance regarding Rockville Festival, and the presentation of a check to the Town of Vernon.

Jim Sendrak from Rockville Community Alliance presented information about the Rockville Fest. He presented a check to the Town of Vernon to cover the special services fees by police Dept which were waived by using funding from the Parks & Rec Dept.

Recess (7:47 PM)

Reconvene (8:05 PM)

Presentation by Mayor Jason L. McCoy to the Town Council on a variety of topics.

- Bolton Parks & Recreation weed program is almost under control. Lower Bolton lakes found 2 invasive species.
- The Town's strategic planning continues
- All remaining Departments have been trained in smart search
- The munis system is integrating in next month or two. Electronic purchase orders and ordering will be in place
- Collector of Revenue – 700 Motor Vehicle warrants went out
- Engineering for the final phase of Prospect street will go out to bid
- River Street bridge passed its inspection
- Talcottville enhancements will be completed in mid-November a sub-contractor is being sought for the kiosk
- Phoenix Street bridge is in pre-advertisement stage, waiting for DEP approval
- Parks and Recs Dept celebrated their 20th anniversary
- Leaf collection starts November 1, 2010
- WPCA training begins next week on their newly installed air infuser system
- As promised in 2007 fuel usage is decreased by 2674 gallons over the last 9 months
- Concerned about the closing of the maternity ward of Rockville Hospital. Mayor McCoy met with Peter Karl, CEO of ECHN and will be attending the next board meeting.
- There are issues with the Roosevelt Mills project in terms of cost and soil contamination
- The application for bonding funding for the arts center has been changed.

Council Member Krupienski requested copies of the Annual Town reports. Administrator Ward informed Town Council Members the reports are complete and he will provide copies of the reports as soon as they are published. Council Member Krupienski also requested the status of his request regarding salaries.

Presentation by Bruce Dinnie, Parks and Recreation Director relative to summer programs, rentals, special events, youth crews and other activities at the Parks and Recreation Department. Steve Krajewski and Bruce Dinnie presented information regarding Parks and Recreation Department activities.

F.) ACTION ON CONSENT AGENDA

Council Member Motola, seconded by Council Member Etre made a motion to approve the consent agenda items as presented. Motion carried unanimously to approve the consent agenda items as presented.

- C 1. Request for Tax Refunds for the Current Year.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward Town Administrator dated October 7, 2010 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES FIFTEEN (15) REFUNDS TOTALING \$1903.35 FOR CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED OCTOBER 7, 2010.

- C 2. Request the Town Council approve budget amendments # 56 - #58 for fiscal year 2009-2010.** (Copies of the budget amendment requests are included in the Council packet)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUESTS FOR FISCAL YEAR 2009-2010, AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY THE FINANCE OFFICE, JAMES LUDDECKE.

- C 3. Request the Town Council approve budget amendments # 1 - #2 for fiscal year 2010-2011.**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUESTS FOR FISCAL YEAR 2010-2011, AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY THE FINANCE OFFICE, JAMES LUDDECKE.

- C 4. Request the Town Council approve Mayor Jason L. McCoy's appointment of Charles Bardes, (U) 79 Meadowview Lane, Vernon, Connecticut as a regular member of the Planning and Zoning Commission said term to commence on October 20, 2010 and expires on December 31, 2012.** (A copy of Mr. Bardes resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER VIII, SEC. 1,6 & 11 DATED JANUARY 1, 1985; C.G.S. §8-4A&B, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF CHARLES BARDES (U), 79 MEADOWVIEW LANE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE PLANNING AND ZONING COMMISSION FOR A TERM TO COMMENCE ON OCTOBER 20, 2010 AND EXPIRES DECEMBER 31, 2012.

- G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS**
None

- H.) PENDING BUSINESS**

- 1. Request the Town Council authorize Mayor Jason L. McCoy to accept the State of Connecticut, Department of Economic and Community Development Grant in the amount of \$1.5 million for the Vernon Community Arts Center and authorize Mayor McCoy or his designee to sign any and all documents.** (This item is being returned for further discussion from the October 5, 2010 Town Council meeting.) (A copy of a memorandum dated October 15 2010 from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council and a copy of the Proposed Assistance Agreement are included for Council review.)

PROPOSED RESOLUTION:

WHEREAS, PURSUANT TO CONN. GEN. STAT. 4-66(C), URBAN ACT GRANT, THE CONNECTICUT DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT IS AUTHORIZED TO EXTEND FINANCIAL ASSISTANCE FOR ECONOMIC DEVELOPMENT PROJECTS; AND WHEREAS, IT IS DESIRABLE AND IN THE PUBLIC INTEREST THAT THE TOWN OF VERNON MAKE AN APPLICATION TO THE STATE FOR \$1.5 MILLION DOLLARS IN ORDER TO UNDERTAKE THE VERNON COMMUNITY ARTS CENTER PROJECT AND TO EXECUTE AN ASSISTANCE AGREEMENT. NOW, THEREFORE, BE IT RESOLVED BY THE VERNON TOWN COUNCIL, THAT IT IS COGNIZANT OF THE CONDITIONS AND PREREQUISITES

FOR THE STATE FINANCIAL ASSISTANCE IMPOSED BY CONN. GEN. STAT. 4-66(C) AND THAT THE FILING OF AN APPLICATION FOR STATE FINANCIAL ASSISTANCE BY THE TOWN OF VERNON, IN AN AMOUNT NOT TO EXCEED \$1.5 MILLION DOLLARS IS HEREBY APPROVED AND THAT MAYOR JASON L. MCCOY IS DIRECTED TO EXECUTE AND FILE SUCH APPLICATION WITH THE CONNECTICUT DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT, TO PROVIDE SUCH ADDITIONAL INFORMATION, TO EXECUTE SUCH OTHER DOCUMENTS AS MAY BE REQUIRED, TO EXECUTE AN ASSISTANCE AGREEMENT WITH THE STATE OF CONNECTICUT FOR STATE FINANCIAL ASSISTANCE IF SUCH AN AGREEMENT IS OFFERED, TO EXECUTE ANY AMENDMENTS, DECISIONS AND REVISIONS THERETO, AND TO ACT AS THE AUTHORIZED REPRESENTATIVE OF THE TOWN OF VERNON.

THE TOWN COUNCIL FURTHER RESOLVES,

THAT IT ADOPTS OR HAS ADOPTED AS ITS POLICY TO SUPPORT THE FOLLOWING NONDISCRIMINATION AGREEMENTS AND WARRANTIES PROVIDED IN SUBSECTION (A) (1) OF THE CONN. GEN. STAT. SEC. 4A-60 AND 4A-60A, RESPECTIVELY, AS AMENDED BY PUBLIC ACTS 7-142 AND 07-245 AND FOR WHICH PURPOSES THE "CONTRACTOR" IS THE TOWN OF VERNON AND "CONTRACT" IS SAID ASSISTANCE AGREEMENT:

THE CONTRACTOR AGREES AND WARRANTS THAT IN PERFORMANCE OF THE CONTRACT SUCH CONTRACTOR WILL NOT DISCRIMINATE OR PERMIT DISCRIMINATION AGAINST ANY PERSON OR GROUP OF PERSONS ON THE GROUNDS OF RACE, COLOR, RELIGIOUS CREED, AGE, MARITAL STATUS, NATIONAL ORIGIN, ANCESTRY, SEX, MENTAL RETARDATION OR PHYSICAL DISABILITY, INCLUDING BUT NOT LIMITED TO, BLINDNESS, UNLESS IT IS SHOWN BY SUCH CONTRACTOR THAT SUCH DISABILITY, PREVENTS PERFORMANCE OF THE WORK INVOLVED IN ANY MANNER PROHIBITED BY THE LAWS OF THE UNITED STATES OR OF THE STATE OF CONNECTICUT. THE CONTRACTOR FURTHER AGREES TO TAKE AFFIRMATIVE ACTION TO INSURE THAT APPLICANTS WITH JOB-RELATED QUALIFICATIONS ARE EMPLOYED AND THAT EMPLOYEES ARE TREATED WHEN EMPLOYED WITHOUT REGARD TO THEIR RACE, COLOR, RELIGIOUS CREED, AGE, MARITAL STATUS, NATIONAL ORIGIN, ANCESTRY, SEX, MENTAL RETARDATION OR PHYSICAL DISABILITY, INCLUDING, BUT NOT LIMITED TO, BLINDNESS, UNLESS IT IS SHOWN BY SUCH CONTRACTOR THAT SUCH DISABILITY PREVENTS PERFORMANCE OF THE WORK INVOLVED.

THE CONTRACTOR AGREES AND WARRANTS THAT IN THE PERFORMANCE OF THE CONTRACT SUCH CONTRACTOR WILL NOT DISCRIMINATE OR PERMIT DISCRIMINATION AGAINST ANY PERSON OR GROUP OF PERSONS ON THE GROUNDS OF SEXUAL ORIENTATION, IN ANY MANNER PROHIBITED BY THE LAWS OF THE UNITED STATES OR OF THE STATE OF CONNECTICUT, AND THAT EMPLOYEES ARE TREATED WHEN EMPLOYED WITHOUT REGARD TO THEIR SEXUAL ORIENTATION.

Mayor McCoy informed Council Members the resolution has been corrected and the negative pledge has been changed to 10 years. Council Member Etre, seconded by Council Member Schaefer made a motion to approve the above corrected resolution as written, which authorizes Mayor Jason L. McCoy to accept the State of Connecticut, Department of Economic and Community Development Grant in the amount of \$1.5 million for the Vernon Community Arts Center and authorizes Mayor McCoy or his designee to sign any and all documents. Motion carried unanimously.

I.) NEW BUSINESS

1. Discussion of the hiring of Robert Kleinhans by the Board of Education as a Temporary Manager of Custodial and Maintenance Services.

Mayor McCoy provided background information regarding Mr. Kleinhans' appointment as a temporary manager of custodial and maintenance services.

8:28 PM – Council Member Etre left the table

Discussion took place with Town Council Members.

9:20 PM – Council Member Etre returned

J.) INTRODUCTION OF ORDINANCES

None

K.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

None

L.) DISCUSSION OF ADDITIONAL AGENDA ITEMS, PULLED CONSENT ITEMS FROM F) AND PULLED ITEMS FROM O) INFORMATIONAL ITEMS, ETC

None

M.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF OCTOBER 5, 2010 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Motola, seconded by Council Member O'Shea made a motion to waive the reading of and approve the minutes of the October 5, 2010 regular Town Council meeting. Council Member Krupienski requested the following changes: Page 1 – Change the spelling of Tim Morrissey, and page 9 reflect the absence of Fred Dorsey and Anne Fischer from Executive Session. Motion to approve the amended minutes carried unanimously.

N.) EXECUTIVE SESSION

Council Member Motola, seconded by Council Member Etre made the following motion to go into executive session:

MOTION:

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES §1-200(B)(2) MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS: **STRATEGY OR NEGOTIATION WITH RESPECT TO THE TEACHER'S COLLECTIVE BARGAINING CONTRACT** AND INVITES THE FOLLOWING INDIVIDUALS TO ATTEND: JOHN D. WARD, TOWN ADMINISTRATOR, DR. MARY CONWAY, SUPERINTENDENT OF SCHOOLS; PETER GRACZYKOWSKI, ASSISTANT TOWN ADMINISTRATOR; ATTORNEY EDWARD F. O'DONNELL AND ATTORNEY FRED DORSEY OF THE LAW FIRM SIEGEL, O'CONNOR, O'DONNELL AND BECK AND STAN KARASINSKI, BUSINESS MANAGER OF THE BOARD OF EDUCATION; ANNE FISCHER, BOE CHAIRMAN AND GEORGE APEL, BOARD OF EDUCATION MEMBER.

Motion carried, Council Members Champagne and Winkler abstained.

Council Member Etre, seconded by Council Member Herbst made a motion for an amendment to include Dean Houle and Debbie Murasso as invited guests to Executive Session. Motion carried, Council Members Champagne and Winkler abstained.

Council Member Motola, seconded by Council Member Schaefer made the following motion:

MOTION:

PURSUANT TO THE CONNECTICUT GENERAL STATUTES, SECTION 10-153D(B), THE TOWN COUNCIL HEREBY MOVES TO REJECT THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE VERNON BOARD OF EDUCATION AND THE VERNON EDUCATION ASSOCIATION, IN EFFECT JULY 1, 2011 THROUGH JUNE 30, 2014 AS RATIFIED BY THE PARTIES ON SEPTEMBER 27, 2010, EXECUTED AND FILED WITH THE TOWN CLERK ON OCTOBER 19, 2010.

Council Member Herbst, seconded by Council Member Krupinski made a motion for a roll call vote.

Council Member O'Shea left the meeting

Discussion took place.

Roll call vote:

Motola – No

Anderson – Yes

Hany – No

Schaefer – No

Herbst – No

Krupinski – No

Campbell – Yes

Etre – No

Champagne – Abstained

Winkler – Abstained

Motion carried.

Council Member Motola, seconded by Council Member Etre made the following motion to go into executive session:

MOTION:

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES §1-200 (6) (D) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION REGARDING **CT CARPENTERS CORP V. TOWN OF VERNON**, DOCKET NUMBER TTD-CV-09-5005022-S, PENDING IN THE TOLLAND COUNTY SUPERIOR COURT, FURTHER, THE TOWN COUNCIL INVITES THE FOLLOWING INDIVIDUALS TO ATTEND: JOHN LEARY, CHAIRMAN OF SCHOOL BUILDING ADVISORY COUNCIL, STANLEY KARASINSKI, DIRECTOR OF BUSINESS AND FINANCE, VERNON BOARD OF EDUCATION, JOHN D. WARD, TOWN ADMINISTRATOR, AND ATTORNEY KENNETH ROZICH TO ATTEND.

Motion carried unanimously.

Council Member Motola, seconded by Council Member Krupinski made the following motion:

THE TOWN COUNCIL HEREBY RESOLVES THAT THE TOWN ADMINISTRATOR IS AUTHORIZED TO SETTLE PENDING LITIGATION, CT CARPENTERS CORP V TOWN OF VERNON, DOCKET NUMBER TTD-CV-095005022 S PENDING IN THE TOLLAND COUNTY SUPERIOR COURT IN THE AMOUNT OF FIFTY THOUSAND (\$50,000).

Motion carried unanimously.

Council Member Motola, seconded by Council Member Schaefer made the following motion to go into executive session:

MOTION:

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES § 1-200 (6) (D), HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION REGARDING TOWN OF VERNON V. KAMAIK KLEVOULUS DOCKET NUMBER TTD-CV10-6001682-S PENDING IN THE TOLLAND COUNTY SUPERIOR COURT, FURTHER, THE TOWN COUNCIL INVITES JOHN D. WARD, TOWN ADMINISTRATOR, TERRI HJARNE, COLLECTOR OF REVENUE AND HAROLD CUMMINGS, TOWN ATTORNEY TO ATTEND.

Motion carried unanimously.

Council Member Motola, seconded by Council Member Etre made the following motion:

TOWN COUNCIL APPROVES AN APPROPRIATION UP TO \$8,000 TO PURCHASE 13 MORRISON STREET AT THE FORECLOSURE PROCEEDING OF TOWN OF VERNON V KAMAIK KLEVOULUS DOCKET NUMBER TTD-CV106001682-S AND AUTHORIZES THE TOWN ADMINISTRATOR TO BID UP TO \$15,000.

Motion carried, Council Members Schaefer, Winkler, and Herbst opposed.

O.) INFORMATIONAL ITEMS, Petitions, communications, correspondence, reports, etc. not requiring action

1. Monthly Report Building Department, September 2010, as submitted by B. Peter Hobbs, Building Official.
2. Thank you letter from the Vernon Explorer Post #800 for the Council's support of their attendance at the National Conference.
3. Thank you from resident Joe Michalewicz relative to the DPW Director Robert Kleinhans and the departments' demolition of 55 Lawrence Street.
4. Notice from the GAR that their new hours of operation are 2nd and 4th Sunday of each month. The GAR will no longer be open on Thursday evenings.
5. Monthly Report Youth Service Bureau, September, 2010 as submitted by Alan Slobodien, Director.

Adjourn (10:40 PM)

Council Member Schaefer, seconded by Council Member Motola made a motion to adjourn. Motion carried unanimously.

Received:

Draft #1

Unapproved Minutes

Approved:

Respectfully Submitted,

Jill Kentfield
Recording Secretary